



PATENT

Docket No.: USAV2003/0110 US NP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Tahir N. Majid et al.

Examiner: Not yet assigned

Art Unit: Not yet assigned

Serial No.: **10/613,588**

Filed: **July 03, 2003**

Title: **PYRAZOLOISOQUINOLINES AS
KINASE INHIBITORS FOR THE
TREATMENT OF VARIOUS
DISORDERS**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to **Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**, on

October 10, 2003

Date of Deposit

Signature

EL721892293 US

Express Mail Certificate

PETITION UNDER 37 C.F.R. §§ 1.10(a)(1), 1.53(b) and 1.181 TO CORRECT FILING DATE OF NONPROVISIONAL APPLICATION

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION

Applicants respectfully petition to correct the filing date granted by the USPTO in the above-identified patent application from July 7, 2003 to July 3, 2003 for the reasons set forth below.

STATEMENT OF THE FACTS

Pursuant to 37 C.F.R. § 1.181(b), Applicants respectfully state that the following sets forth the procedural events that occurred before the United States Patent and Trademark Office in the above-identified patent application:

1. The above identified patent application was deposited with the United States Postal Service (USPS) using an "Express Mail Postal Service" addressed to "Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on July 03, 2003 (see Exhibit A). The undersigned further states that the above-identified application was deposited with the USPS on July 3, 2003 with a signed certificate of mailing as evidenced by the enclosed transmittal letter (Exhibit

B), which shows the "Express Mail No." to be EL 816576588 US, certified and signed by Maribel Mendez that the subject correspondence is being deposited with the USPS on July 3, 2003.

2. The above-identified application was delivered to the USPTO at 11:09 AM on July 5, 2003 (which was a Saturday) as evidenced by the enclosed "Track and Confirm" sheet that is available on the USPS website (see Exhibit C). It is apparent from this sheet that the above-identified application was signed and received by R. Atiati of the USPTO.
3. The USPTO issued a filing date of July 7, 2003 and assigned the application serial no. 10/613,588 (see attached copy of the return post card, which is affixed with a bar-coded application serial number and date from the USPTO, Exhibit D).
4. Applicants further assert that the above-identified application was filed satisfying all of the provisions of 37 C.F.R. § 1.53(b). The application along with all of the requisite papers were deposited at the United States Postal Office using express mail on July 3, 2003 pursuant to the provisions of 37 C.F.R. § 1.10(a)(1).
5. In addition, Applicants would like to point out that two related applications were also filed with the USPTO on the same day of July 3, 2003 using the same USPS Express Mail Service in two separate packages, both of which were assigned correctly the filing date of July 3, 2003.
6. The first related application is the corresponding PCT application, Docket No. USAV2003/0110 WO PCT, which was sent by an Express Mail No. EL 816576530 US (see Exhibit E) on July 3, 2003, and was received by R. Atiati of the USPTO on July 5, 2003 as evidenced by the "Track & Confirm" sheet (see Exhibit F). The USPTO assigned a filing date of July 3, 2003 (Application No. PCT/US 03/21144) as stamped on the return post card (see Exhibit G).
7. The second related US Non-provisional application, Docket No. DEAV2002/0045 US NP, which was sent by an Express Mail No. EL 816576852 US (see Exhibit H) on July 3, 2003, and was received by R. Atiati of the USPTO on July 5, 2003 as evidenced by the "Track & Confirm" sheet (see Exhibit I). The USPTO assigned a filing date of July 3, 2003 (Ser. No. 10/613,482) as stamped on the return post card (see Exhibit J).

POINTS TO BE REVIEWED

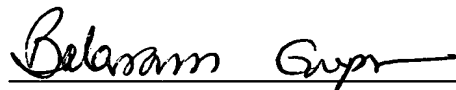
1. From the foregoing "Statement of Facts," it is respectfully submitted that Applicants have fully complied with all of the provisions in accordance with 37 C.F.R. §§ 1.10(a)(1) & 1.53(b).
2. As further evidenced from the "Statement of Facts," two related applications mailed on the same date of July 3, 2003 were granted correct filing date of July 3, 2003 but the instant application incorrectly received the filing date of July 7, 2003.

ACTION REQUESTED

Applicants respectfully request the Commissioner to correct the filing date in the instant application and grant the filing date of July 03, 2003.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. 1.17(i) which may be required by this paper or credit any overpayment to **Deposit Account No. 18-1982** for Aventis Pharmaceuticals, Inc., Bridgewater, NJ. Please credit any overpayment to **Deposit Account No. 18-1982**. A duplicate copy of this transmittal letter is enclosed for accounting purposes.

Respectfully submitted,



Balaram Gupta, Reg. No. 40,009
Attorney/Agent for Applicant

Enclosures: Exhibits A through J (11 pages)

Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, NJ 08807-0800
Telephone: 908-231-3364
Telefax: 908-231-2626

Docket No. USAV2003/0110 US NP

EXHIBIT A



UNITED STATES POSTAL SERVICE®

**POST OFFICE
TO ADDRESSEE**



EL 81b57b5d8 US

ORIGIN (POSTAL USE ONLY)

PO ZIP Code 08899	Day of Delivery First <input checked="" type="checkbox"/> Second <input type="checkbox"/>	Flat Rate Envelope <input type="checkbox"/>
Date in Mo. Day Year 11/12/02	Time in AM <input type="checkbox"/> PM <input checked="" type="checkbox"/> 11:15 Noon <input type="checkbox"/> 3 PM <input type="checkbox"/>	Postage \$ 17.85
Weight Lbs. Ozs. 1 025	Int'l Alpha Country Code 025	Return Receipt Fee \$ 17.85
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <input type="checkbox"/>	Exchange Clerk Initials [Signature]	Insurance Fee \$ 17.85

☐ **WAIVER OF SIGNATURE** (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. With delivery to service without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.

☐ **NO DELIVERY** ☐ Weekend ☐ Holiday

**SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND LIMITS
ON INSURANCE COVERAGE**

CUSTOMER USE ONLY
METHOD OF PAYMENT: **K0880031**
Express Mail Corporate Acct. No.

Federal Agency Acct. No. or
Postal Service Acct. No.

FROM: PLEASE PRINT

PHONE

**VENTIS PHARMACEUTICALS
VENTIS DEPARTMENT
202-2208
TOLBEMATER**

NJ 08607-1275

TO: PLEASE PRINT

PHONE

**Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

DEAV2002/D110 05 TP

MM

FOR PICKUP OR TRACKING CALL 1-800-222-1811

www.usps.com



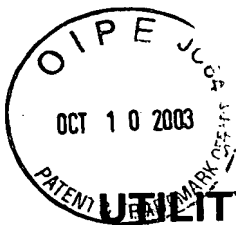


EXHIBIT B

PATENT

UTILITY PATENT APPLICATION TRANSMITTAL

(only for new non-provisional applications under 37 CFR §1.53(b))

Mail Stop Patent Application
Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the patent application
under 37 CFR 1.53(b) of:

AVENTIS DOCKET NO.: **USAV2003/0110 US NP**
INVENTORS: **Tahir N. Majid, et al**
TITLE: **Pyrazolisoquinolines as Kinase
Inhibitors for the Treatment of Various
Disorders**

I hereby certify that this correspondence is being
deposited with the United States Postal Service as
Express Mail in an envelope addressed to Mail Stop
Patent Application, Commissioner of Patents, P.O.
Box 1450, Alexandria, VA 22313-1450, on

July 3, 2003
Date of Deposit
M. Mendez
Signature
EI 816576588 US
Express Mail No.

APPLICATION ELEMENTS

1. ☒ *Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. ☒ Specification
(preferred arrangement set forth below)
- Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure

Total Pages 104

3. ☐ Drawing(s) (35 U.S.C. 113)

Total Sheets

4. Oath or Declaration

Total Pages 2

- a. ☒ Newly unexecuted (original or copy)

- b. ☐ Copy from a prior application (37 CFR § 1.63(d))

- i. ☐ DELETION OF INVENTOR(S)

Signed statement attached deleting inventor(s) named in the prior
application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).

5. Power of Attorney

Total Pages 1

- a. ☒ Newly executed (original)

- b. ☐ Copy from a prior application (37 CFR § 1.63(d))

6. ☐ Microfiche Computer Program (Appendix)

7. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

- a. ☐ Computer Readable Copy
b. ☐ Paper Copy (identical to computer copy)
c. ☐ Statement verifying identity of above copies

☐ If a **CONTINUING Application**, check appropriate box, and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part

of prior application no: _____, filed _____.

Examiner _____, Group/Art Unit _____.

(The cross reference has been/will be inserted on page one of the specification).

☐ This application claims the benefit of U.S. Provisional Application No. _____,
filed _____. (The cross reference has been/will be inserted on page one of the specification).

☐ **Incorporation By Reference** (useable if filing a continuation/divisional and a copy of the declaration from the prior application is enclosed.)

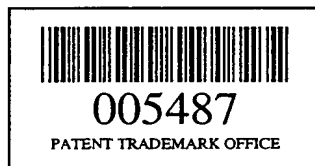
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ 37 CFR §3.73(b) Statement
(when there is an assignee)
9. ☐ Verified English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
13. ☐ *Small Entity Statement(s) ☐ Statement filed in prior application,
(PTO/SB/09-12) Status still proper and desired
14. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
15. ☒ Other: Application Data Sheet

CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label



Balaram Gupta
Balaram Gupta, Reg. No. 40,009
Attorney/Agent for Applicant

Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, New Jersey 08807-0800
Telephone (908) 231-3364
Telefax (908) 231-2626
Aventis Docket No. **USAV2003/0110 US NP**



EXHIBIT C

Track & Confirm

Current Status

You entered EL81 6576 588U S

Your item was delivered at 11:09 am on July 05, 2003 in ARLINGTON, VA 22202 to PATENT OFFICE. The item was signed for by R ATIATI.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email [What is this?](#)

[Go >](#)

▶ Request Proof of Delivery [What is this?](#)

[Go >](#)

POSTAL INSPECTORS
Preserving the Trust

[site map](#) [contact us](#) [government services](#)

Copyright © 1999-2002 USPS. All Rights Reserved. [Terms of Use](#) [Privacy Policy](#)

Track & Confirm

Enter label number:

Q&A

[Track & Confirm FAQs](#)

EXHIBIT D

DOCKET NO. USAV 2003/0110 US NP	SERIAL NO. NOT YET ASSIGNED	DATE 7.3.03
APPLICANT(S) TAHIR N. MATID, ET AL		ATTY D. Gupta
TITLE OF INVENTION: PYRAZOLISOQUINOLINES AS KINASE INHIBITORS FOR THE TREATMENT OF VARIOUS DISORDERS		

The Patent Office acknowledges and has stamped hereon the date of receipt of the items checked below:

- ☐ Affidavit/Declaration, 37 CFR _____
☐ Amendment, 37 CFR _____
☐ Appeal notice/Appeal Brief
☐ Assignment & Cover Sheet
☐ Cert. of correction request
☒ Cert. of Exp. Mailing, Date: 7.3.03
 No. EL 816576588 US
☐ Charge deposit account, in duplicate
☐ Check \$ _____ for _____
☐ Demand for PCT examination
☐ Extension of time petition
☐ IDS (information disclosure statement)
 PTO Form 1449: # of pages enc. _____
 # of reference enc. _____
☐ Issue fee transmittal & advance order

☐ Maintenance fee transmittal
☒ Patent Application (NON-PROVISIONAL) 66
104 Total # of pages (Spec and claims)
 # of sheets of drawings 4
☒ Declaration/Oath: signed 66 unsigned
☒ Transmittal letter
☒ Power of Attorney (SIGNED) 66
☐ PCT Application, transmittal, request & fee sheet
☐ Petition under 37-CFR
☐ Power of attorney
☐ Priority claim
☐ Reply, 37 CFR
☒ Other Application Data Sheet (5pgs) 66
 PTO Date Stamp and Return



**NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES**

**BUSINESS REPLY MAIL**

FIRST-CLASS MAIL PERMIT NO. 3 BRIDGEWATER NJ

POSTAGE WILL BE PAID BY ADDRESSEE

Attn: Patent Department D-303A

Aventis Pharmaceuticals Inc.

Route 202-206

PO Box 6800

Bridgewater, NJ 08807-0800

21712 U.S. PTO
10/613588

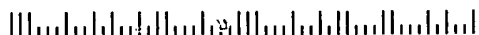
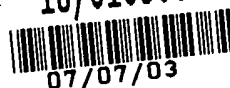


EXHIBIT E



EXPRESS MAIL
UNITED STATES POSTAL SERVICE®

EL 81b57b530 US



Mailing Label
Label 11-F August 2000

ORIGIN (POSTAL USE ONLY)				DELIVERY (POSTAL USE ONLY)			
PO ZIP Code	Day of Delivery Next <input type="checkbox"/> Second <input type="checkbox"/>			Flat Rate Envelope <input type="checkbox"/>		Delivery Attempt Time	
Date in Mo. Day Year	13 Noon <input type="checkbox"/> 3 PM <input type="checkbox"/>			Postage \$		Employee Signature	
Time in Mo. Day Year	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day <input type="checkbox"/>			Return Receipt Fee		Delivery Attempt Time	
Weight lbs. ozs.	Int'l Alpha Country Code			COD Fee		Employee Signature	
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <input type="checkbox"/>	Acceptance Clerk Initials			Insurance Fee		Delivery Date Time	
METHOD OF PAYMENT: Express Mail Corporate Acct. No. X088031				Total Postage & Fees \$		Employee Signature	
CUSTOMER USE ONLY				NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <input type="checkbox"/>			
FROM: (PLEASE PRINT) PHONE				TO: (PLEASE PRINT) PHONE			
AVENTIS PHARMACEUTICALS PATENT DEPARTMENT RT 202-206 BRIDGEWATER NJ 08807-1275 USAV2003/0110 MO PCT				Mail Stop PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450			

PRESS HARD.
You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811

www.usps.com



67/ 100

F02
T



EXHIBIT F

USAV2003/0110 WO PCT

Track & Confirm

Current Status

You entered EL81 6576 530U S

Your item was delivered at 11:09 am on July 05, 2003 in ARLINGTON, VA 22202 to PATENT OFFICE. The item was signed for by R ATIATI.

[Shipment Details >](#)

Notification Options

▶ Track & Confirm by email

[What is this?](#)

[Go >](#)

▶ Request Proof of Delivery

[What is this?](#)

[Go >](#)

POSTAL INSPECTORS
Preserving the Trust

[site map](#) [contact us](#) [government services](#)

Copyright © 1999-2002 USPS. All Rights Reserved. [Terms of Use](#) [Privacy Policy](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

EXHIBIT G

DOC NO. <u>2003/0110 WO PCT</u>	SERIAL NO. <u>NOT YET DESIGNATED</u>	DATE <u>JUL 3, 2003</u>
APPLICANT(S) <u>AVENTIS PHARMACEUTICALS INC., ET AL</u>		ATTY <u>B. Gupta</u>
TITLE OF INVENTION: <u>PYRAZOLOISOQUINOLINE DERIVATIVES AS KINASE INHIBITORS</u>		





PCT/US 03/21144

The Patent Office acknowledges and has stamped hereon the date of receipt of the items checked below:

- COMPUTER ENTERED** 7-2-03
- ☐ Affidavit/Declaration, 37 CFR
 - ☐ Amendment, 37 CFR
 - ☐ Appeal notice/Appeal Brief
 - ☐ Assignment & Cover Sheet
 - ☐ Cert. of correction request
 - ☒ Cert. of Exp. Mailing, Date: 07-03-03
No. EL 816576530 US
 - ☐ Charge deposit account, in duplicate
 - ☐ Check \$ _____ for _____
 - ☐ Demand for PCT examination
 - ☐ Extension of time petition
 - ☐ IDS (information disclosure statement)
PTO Form 1449: # of pages enc. _____
of reference enc. _____
 - ☐ Issue fee transmittal & advance order
 - ☐ Maintenance fee transmittal
 - ☐ Patent Application
 - ☐ Total # of pages (Spec and claims)
 - ☐ # of sheets of drawings
 - ☐ Declaration/Oath: signed _____ unsigned _____
 - ☐ Transmittal letter
 - ☐ Power of Attorney
 - ☒ PCT Application, transmittal, request & fee sheet
 - ☐ Petition under 37 CFR
 - ☒ Power of attorney (Unexecuted)
 - ☐ Priority claim
 - ☐ Reply, 37 CFR
 - ☒ Other PCT-EASY Diskette, Unexecuted Declaration

DT14 Rec'd PCT/PTO 03 JUL 2003
PTO Date Stamp and Return

EXHIBIT H

Military		Return Receipt Fee	Delivery Date	Time	Employee Signature
PM	Int'l				
228.	Acc				
day					
 EXPRESS MAIL UNITED STATES POSTAL SERVICE®		POST OFFICE TO ADDRESSEE		 EL 816576852 US	
ORIGIN (POSTAL USE ONLY)					
PO ZIP Code		Day of Delivery		Flat Rate Envelope	
08899		<input type="checkbox"/> Next <input type="checkbox"/> Second		<input type="checkbox"/>	
Date In		<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM		Postage	
7 3 3				\$ 17 85	
Time In		Military		Return Receipt Fee	
<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM 1830		<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day			
Weight		Int'l Alpha Country Code		COD Fee	
lbs. ozs.				Insurance Fee	
No Delivery		Acceptance Mark Initials		Total Postage & Fees	
<input type="checkbox"/> Weekend <input type="checkbox"/> Holiday				\$ 17 85	
CUSTOMER USE ONLY					
METHOD OF PAYMENT:		X088031		Federal Agency Acct. No. or Postal Service Acct. No.	
Express Mail Corporate Acct. No.					
FROM: (PLEASE PRINT)		PHONE		TO: (PLEASE PRINT)	
AVENTIS PHARMECEUTICALS PATENT DEPARTMENT RT 202-206 RIDGEWATER NJ 08807-1275				Mail Stop: Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	
(DEAV2002/0045 US XP)mm					
FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com 					

Customer Copy
Label 11-F August 2000



EXHIBIT I

DEAV2002/0045 US NP

Track & Confirm

Current Status

You entered EL81 6576 852U S

Your item was delivered at 11:09 am on July 05, 2003 in ARLINGTON, VA 22202 to PATENT OFFICE. The item was signed for by R ATIATI.

[Shipment Details >](#)

Notification Options

► Track & Confirm by email

[What is this?](#)

[Go >](#)

► Request Proof of Delivery

[What is this?](#)

[Go >](#)

POSTAL INSPECTORS
Preserving the Trust

[site map](#) [contact us](#) [government services](#)

Copyright © 1999-2002 USPS. All Rights Reserved. [Terms of Use](#) [Privacy Policy](#)

Track & Confirm

Enter label number:




[Track & Confirm FAQs](#) (

EXHIBIT J

DOCKET NO. DEAN 2002/0045 US NP	SERIAL NO. NOT YET ASSIGNED	DATE 07-03-03
APPLICANT(S) DR. STEFANIE FLOHR, ET AL		ATTY Gupta, B
TITLE OF INVENTION: CYRAZOLISOQUINOLINE DERIVATIVES FOR INHIBITING NFKAPPAB-INDUCING KINASE		

The Patent Office acknowledges and has stamped hereon the date of receipt of the items checked below:

<input type="checkbox"/> Affidavit/Declaration, 37 CFR _____	01409 U.S. PTO	<input type="checkbox"/> Maintenance fee transmittal
<input type="checkbox"/> Amendment, 37 CFR _____	10/613482	<input checked="" type="checkbox"/> Patent Application (NON-PROVISIONAL)
<input type="checkbox"/> Appeal notice/Appeal Brief		44 Total # of pages (Spec and claims) B6
<input type="checkbox"/> Assignment & Cover Sheet	07/03/03	# of sheets of drawings _____
<input type="checkbox"/> Cert. of correction request		<input checked="" type="checkbox"/> Declaration/Oath: signed <input checked="" type="checkbox"/> unsigned
<input checked="" type="checkbox"/> Cert. of Exp. Mailing, Date: 07-03-03		<input checked="" type="checkbox"/> Transmittal letter
No. EL 816576852 US		Power of Attorney _____
<input type="checkbox"/> Charge deposit account, in duplicate		<input type="checkbox"/> PCT Application, transmittal, request & fee sheet
Check \$ _____ for _____		<input type="checkbox"/> Petition under 37 CFR _____
<input type="checkbox"/> Demand for PCT examination		<input type="checkbox"/> Power of attorney _____
<input type="checkbox"/> Extension of time petition		<input type="checkbox"/> Priority claim _____
<input type="checkbox"/> IDS (information disclosure statement)		<input checked="" type="checkbox"/> ENGLISH TRANSLATION OF GB 1032976.2
PTO Form 1449: # of pages enc. _____		<input checked="" type="checkbox"/> Other Application Data Sheet (3pgs)
# of reference enc. _____		FEE TRANSMITTAL SHEET, AND
<input type="checkbox"/> Issue fee transmittal & advance order		CERTIFIED COPY OF PRIORITY DOCUMENT
		PTO Date Stamp and DE 1032976.2
		Return B6

**RECEIVED
7/29/03**